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GUARDIAN PROTECTION PRODUCTS, INC.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

|   |   |                                       |
|---|---|---------------------------------------|
| GUARDIAN PROTECTION PRODUCTS, INC., a Delaware corporation,                   | ) | CASE NO. 1:20-CV-01680-SKO            |
|   | ) |                                       |
| Plaintiff,  | ) | <b>STIPULATION AND ORDER TO</b>       |
|   | ) | <b>MODIFY SCHEDULING ORDER;</b>       |
| vs.   | ) | <b>DECLARATION OF AARON P. RUDIN</b>  |
|   | ) | <b>IN SUPPORT</b>                     |
| G.P.P., INC. d/b/a GUARDIAN INNOVATIVE SOLUTIONS, a Pennsylvania corporation, | ) | <b>(Doc. 50)</b>                      |
|   | ) | Complaint Filed: November 24, 2020    |
| Defendant.  | ) | Counterclaim Filed: February 22, 2021 |
|   | ) | Trial: August 27, 2024                |
|   | ) | Pre-Trial Conference: May 15, 2024    |
| <hr/>   |   |                                       |
| G.P.P., INC. d/b/a GUARDIAN INNOVATIVE SOLUTIONS, a Pennsylvania corporation, | ) |                                       |
|   | ) |                                       |
| Counterclaimant,  | ) |                                       |
|   | ) |                                       |
| vs.   | ) |                                       |
|   | ) |                                       |
| GUARDIAN PROTECTION PRODUCTS, INC., a Delaware corporation,                   | ) |                                       |
|   | ) |                                       |
| Counter-defendant.  | ) |                                       |
|   | ) |                                       |

Pursuant to the Court's modified Scheduling Order [Dkt. No. 49] and L.R. 143, Plaintiff/Counter-Defendant Guardian Protection Products, Inc. ("Guardian") and Defendant/Counterclaimant G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS") hereby submit the following stipulation and proposed order to further modify the Scheduling Order.

1 WHEREAS, on April 16, 2021, this Court issued a Scheduling Order [Dkt. No. 30] in  
2 this matter;

3 WHEREAS, on October 14, 2021 the parties submitted a Stipulation and Proposed Order  
4 to modify the scheduling order [Dkt. No. 40], and on October 15, 2021, the Court modified the  
5 Scheduling Order [Dkt. No. 41];

6 WHEREAS, following a week-long trial, on December 13, 2021, this Court issued a final  
7 judgment [Dkt. No. 499] in the related case entitled *G.P.P., Inc. d/b/a Guardian Innovative*  
8 *Solutions v. Guardian Protections Products, Inc., et al.*, Case No. 1:15-cv-00321-SKO;

9 WHEREAS, on February 3, 2022, the parties submitted a Further Stipulation and  
10 Proposed Order to modify the scheduling order [Dkt. No. 42], and on February 4, 2022, the  
11 Court modified the Scheduling Order [Dkt. No. 43];

12 WHEREAS, on April 15, 2022, GIS filed a Notice of Appeal in the related matter [Dkt.  
13 No. 513];

14 WHEREAS, on April 22, 2022, Guardian filed a Notice of Appeal in the related matter  
15 [Dkt. No. 516];

16 WHEREAS, on August 3, 2022, the parties submitted a Further Stipulation and Proposed  
17 Order to modify the scheduling order [Dkt. No. 44], and on February 5, 2022, the Court modified  
18 the Scheduling Order [Dkt. No. 46]

19 WHEREAS, on September 12, 2022, GIS filed its Opening Brief for the Appeal in the  
20 related matter;

21 WHEREAS, on November 14, 2022, Guardian filed its Principal and Response Brief for  
22 the Appeal in the related matter;

23 WHEREAS, on January 13, 2023, GIS filed its Response and Reply Brief for the Appeal  
24 in the related matter;

25 WHEREAS, on January 30, 2023, the parties submitted a Further Stipulation and  
26 Proposed Order to modify the scheduling order [Dkt. No. 48], and on January 31, 2023, the  
27 Court modified the Scheduling Order [Dkt. No. 49] setting a May 29, 2024 Deadline to Request  
28 Settlement Conference and the following dates:

| Event                          | Continued Date               |
|--------------------------------|------------------------------|
| Non-Expert Discovery           | September 20, 2023           |
| Expert Disclosures             | October 24, 2023             |
| Rebuttal Expert Disclosures    | November 27, 2023            |
| Expert Discovery               | January 2, 2024              |
| Non-Dispositive Motion Filing  | January 2, 2024              |
| Non-Dispositive Motion Hearing | February 7, 2024             |
| Dispositive Motion Filing      | February 14, 2024            |
| Pretrial Conference            | May 15, 2024 at 2:30 p.m.    |
| Trial                          | August 27, 2024 at 8:30 a.m. |

WHEREAS, on June 23, 2023, Oral Argument took place before the Ninth Circuit in the related matter;

WHEREAS, on July 3, 2023, the Ninth Circuit affirmed this court's entry of judgment;

WHEREAS, on July 25, 2025, the Ninth Circuit issued its Mandate;

WHEREAS, in an effort to avoid potential waste of judicial resources and those of parties, the parties awaited the Ninth Circuit decision in the related case before engaging in extensive litigation in this case;

WHEREAS, as of the filing of this stipulation, the parties have not completed the discovery process;

WHEREAS, absent an extension, the parties would be required to complete non-expert discovery in less than sixty days pursuant to the modified scheduling order entered on January 31, 2023;

WHEREAS, considering the Ninth Circuit's decision affirming the district court's judgment in the related case and issuing its mandate on July 25, 2023, the parties believe that an additional extension on the above deadlines is reasonable and necessary in order to provide the parties with adequate time to conduct and complete discovery, prepare any non-dispositive or

dispositive motions, and otherwise prepare for trial without unnecessarily straining the resources of both parties and their counsel;

WHEREAS, the parties have previously requested four extensions of time in this matter, with each extension premised on the appeal that was pending before the Ninth Circuit in the related matter and the parties do not anticipate they will need to seek any further extensions.

ACCORDINGLY, IT IS HEREBY STIPULATED and REQUESTED by the parties that the Scheduling Order [Dkt. No. 49] be further modified as follows:

| Event                          | Proposed Date      |
|--------------------------------|--------------------|
| Non-Expert Discovery           | May 20, 2024       |
| Expert Disclosures             | June 17, 2024      |
| Rebuttal Expert Disclosures    | July 15, 2024      |
| Expert Discovery               | August 12, 2024    |
| Non-Dispositive Motion Filing  | August 12, 2024    |
| Non-Dispositive Motion Hearing | September 18, 2024 |
| Dispositive Motion Filing      | September 25, 2024 |
| Pretrial Conference            | December 11, 2024  |
| Trial                          | February 25, 2025  |

IT IS SO STIPULATED.

Dated: August 22, 2023

GORDON REES SCULLY MANSUKHANI, LLP

By: /s/ Aaron P. Rudin  
 Calvin E. Davis  
 Aaron P. Rudin  
 Amanda A. Garcia  
 Attorneys for Plaintiff and Counter-Defendant  
 GUARDIAN PROTECTION PRODUCTS, INC.

Dated: August 22, 2023

WILSON SONSINI GOODRICH & ROSATI

By: /s/ Jason Mollick

Dylan J. Liddiard

Jason Mollick

Attorneys for Defendant and Counter-  
Claimant G.P.P., INC. d/b/a GUARDIAN  
INNOVATIVE SOLUTIONS

(as authorized on August 22, 2023)

Gordon Rees Scully Mansukhani LLP  
633 West Fifth Street, 52nd Floor  
Los Angeles, CA 90071

**ORDER**

Finding good cause therefore (Fed. R. Civ. P. 16(b)(4)), the parties' foregoing stipulation (Doc. 50) is hereby approved. Accordingly, IT IS HEREBY ORDERED that the operative case schedule (Doc. 49) is MODIFIED as follows:

| Event                                     | Prior Date                    | Continued Date                               |
|---|-------------------------------|--|
| Non-Expert Discovery                      | September 20, 2023            | May 20, 2024                                 |
| Expert Disclosures                        | October 24, 2023              | June 17, 2024                                |
| Rebuttal Expert Disclosures               | November 27, 2023             | July 15, 2024                                |
| Expert Discovery                          | January 2, 2024               | August 12, 2024                              |
| Non-Dispositive Motion Filing             | January 2, 2024               | August 12, 2024                              |
| Non-Dispositive Motion Hearing            | February 7, 2024              | September 18, 2024                           |
| Dispositive Motion Filing                 | February 14, 2024             | September 18, 2024 <sup>1</sup>              |
| Dispositive Motion Hearing                | n/a                           | October 23, 2024                             |
| Deadline to Request Settlement Conference | May 29, 2024                  | November 27, 2024                            |
| Pretrial Conference                       | May 15, 2024, at 2:30 p.m.    | December 18, 2024, at 2:30 p.m. <sup>2</sup> |
| Trial                                     | August 27, 2024, at 8:30 a.m. | February 25, 2025, at 8:30 a.m.              |

IT IS SO ORDERED.

Dated: **August 24, 2023**

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> The Court advances the dates surrounding the dispositive motions in order to afford the parties time to prepare for the pre-trial conference.

<sup>2</sup> The date for the pre-trial conference is continued pursuant to the Court's schedule.